

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

10-CR-6123L

v.

TRACY TURNER,


Defendant.

Defendant, Tracy Turner ("Turner"), has filed, *pro se*, a motion for reduction of sentence (Dkt. #71). The motion is denied. On October 31, 2011, the Court sentenced Turner principally to a term of 84 months imprisonment. That sentence was a substantial reduction from the United States Sentencing Guidelines of 168-210 months with a statutory minimum sentence of 120 months. The reduction was based on the Government's 5K and 18 U.S.C. § 3553(e) motion. But, more to the point, once the Court imposes sentence it has no ability or jurisdiction to reduce or modify that sentence even were I inclined to do so, which is not the case, based on the substantial benefit already received by Turner.

CONCLUSION

Defendant's motion (Dkt. #71) to reduce the sentence is in all respects denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
August 1, 2012.